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16 United States of America

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

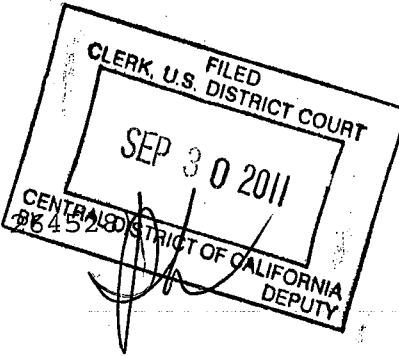
19 IN THE MATTER OF THE) NO. 11-2205M
20 EXTRADITION OF)
21 VICENTE PONCE VILLANU,)
22 T/N VICENTE PONCE VILLASENDI)
23 A Fugitive from the)
24 Government of the Republic)
25 of Mexico.)

PROPOSED] ORDER GRANTING
GOVERNMENT'S REQUEST FOR
DETENTION

26 Upon consideration of the request of the United States for
27 the detention of fugitive VICENTE PONCE VILLANU pending
28 extradition proceedings, and good cause therefor appearing,

29 IT IS HEREBY ORDERED that said request is GRANTED, the Court
30 making the following findings of fact and conclusions of law:

31 1. In foreign extradition matters there is a presumption
32 against bail and only "special circumstances" will justify
33 release on bail. United States v. Salerno, 878 F.2d 317, 317
34 (9th Cir. 1989); see also Matter of Extradition of Smyth 976 F.2d
35 1535, 1535-36 (9th Cir. 1992); Kamrin v. United States, 725 F.2d
36 1225, 1228 (9th Cir. 1984). The burden of showing special



1 circumstances rests upon the fugitive. See, e.g., Salerno, 878
2 F.2d at 317-18. Here, PONCE VILLANU does not argue that "special
3 circumstances" exist, and the Court finds that no such "special
4 circumstances" exist.

5 2. The government alternatively requests detention on
6 the grounds that PONCE VILLANU presents an unacceptable risk of
7 (a) flight; and (b) danger to the community, even if such special
8 circumstances were present. In support of its request, the
9 government proffers the sworn extradition complaint, the
10 provisional arrest warrant, and the Pretrial Services report.
11 Based on the allegations in the extradition complaint concerning
12 PONCE VILLANU's offenses in Mexico, the Court finds that PONCE
13 VILLANU poses a potential risk to the safety of the community.
14 Based on the allegations in the extradition complaint concerning
15 PONCE VILLANU'S substantial ties to Mexico and Mexican
16 citizenship, the Court also finds that PONCE VILLANU is a risk of
17 flight, particularly in light of PONCE VILLANU's apparent lack of
18 ties to this District and the likely immigration consequences to
19 PONCE VILLANU based on the offenses alleged.

20 IT IS SO ORDERED.

21
22 9/30/11
23 DATE

24
25 
26 THE HONORABLE VICTOR B. KENTON
27 UNITED STATES MAGISTRATE JUDGE

28 Presented by:

29 _____
30 /s/
31 CHRISTINA T. SHAY
32 Assistant United States Attorney